

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

VIACOM INTERNATIONAL, INC., COMEDY)	
PARTNERS, COUNTRY MUSIC.)	
TELEVISION, INC., PARAMOUNT)	
PICTURES CORPORATION, and BLACK)	
ENTERTAINMENT TELEVISION, LLC,)	
)	
Plaintiffs,)	
)	
vs.)	NO. 07-CV-2203
)	
YOUTUBE, INC., YOUTUBE, LLC,)	
and GOOGLE, INC.,)	
)	
Defendants.)	
)	
THE FOOTBALL ASSOCIATION PREMIER)	
LEAGUE LIMITED, BOURNE CO., et al.,)	
on behalf of themselves and all)	
others similarly situated,)	
)	
Plaintiffs,)	
vs.)	NO. 07-CV-3582
)	
YOUTUBE, INC., YOUTUBE, LLC, and)	
GOOGLE, INC.,)	
)	
Defendants.)	
)	

VIDEOTAPED DEPOSITION OF SUZANNE REIDER
SAN FRANCISCO, CALIFORNIA
FRIDAY, OCTOBER 3, 2008

BY: ANDREA M. IGNACIO HOWARD, CSR, RPR, CLR
CSR LICENSE NO. 9830
JOB NO. 15910

OCTOBER 3, 2008

9:01 a.m.

VIDEOTAPED DEPOSITION OF SUZANNE REIDER,
SHEARMAN & STERLING, 525 Market Street,
San Francisco, California, pursuant to notice,
before ANDREA M. IGNACIO HOWARD, CLR, RPR, CSR
License No. 9830.

A P P E A R A N C E S:

FOR THE PLAINTIFFS VIACOM INTERNATIONAL INC.:

SHEARMAN & STERLING LLP

By: KIRSTEN NELSON CUNHA, Esq.

599 Lexington Avenue

New York, New York 10022-6069

(212) 848-4000 kirsten.cunha@shearman.com

SHEARMAN & STERLING LLP

By: BENJAMIN HUGHES, Esq.

525 Market Street

San Francisco, California 94105

(415) 616-1100 bhughes@shearman.com

FOR THE LEAD PLAINTIFFS AND PROSPECTIVE CLASS:

BERNSTEIN LITOWITZ BERGER & GROSSMANN LLP

By: JOHN C. BROWNE, Esq.

1285 Avenue Of The Americas

New York, New York 10019

(212) 554-1533 johnb@blbglaw.com

A P P E A R A N C E S (Continued.)

FOR THE DEFENDANTS YOUTUBE, INC., YOUTUBE, LLC and
GOOGLE, INC.:

MAYER BROWN LLP

By: BRIAN WILLEN, Esq.

DAVID MCGILL, Esq.

1675 Broadway

New York, New York 10019

(212) 506-2146 bwillen@mayer.com

ALSO PRESENT:

GOOGLE

By: ADAM L. BAREA, Litigation Counsel

1600 Amphitheater Parkway

Mountain View, California 94043

(650) 214-4879 adambarea@google.com

LOU MEADOWS, Videographer.

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1 REIDER

2 09:03:22 produced on -- on a rolling basis, some of which may
3 09:03:25 related -- may have related to -- to Ms. Reider, so we
4 09:03:29 will certainly -- certainly object to any attempt to
5 09:03:31 redepose her.

6 09:03:33 We think this is the one opportunity that you
7 09:03:35 will have, and you have a full day to ask whatever
8 09:03:40 questions you'd like, and I think there's no reason
9 09:03:41 to -- to come back here after we go through today.

10 09:03:44 MR. BROWNE: Okay. Your objection is noted,
11 09:03:45 but I will point out that you gave us the date for
12 09:03:49 Ms. Reider's deposition on September 5th.

13 09:03:52 At no time since then have you said that
14 09:03:54 there's a substantial number of her documents that we
15 09:03:56 have not seen, and producing them to us on the day
16 09:03:58 before the deposition, I think it's pretty clear we
17 09:04:01 didn't have an opportunity to review them.

18 09:04:04 So we've both stated our positions. Our
19 09:04:08 position is that we're keeping the deposition open.

20 09:04:10 Q And with that, Ms. Reider, can you state your
21 09:04:12 full name and address for the record.

22 09:04:13 A Suzanne Reider, 924 Church Street,
23 09:04:18 San Francisco, California 94114.

24 09:04:18 Q Okay. And are you currently employed?

25 09:04:21 A Yes, I am.

REIDER

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2 09:04:21 Q Where at?

3 09:04:22 A Google.

4 09:04:22 Q Okay. What's your title?

5 09:04:23 A My current title is director of sales.

6 09:04:26 Q And when did you first come to be employed at

7 09:04:29 Google?

8 09:04:29 A I started working at Google when the

9 09:04:33 acquisition closed, which was November 18th of 2006.

10 09:04:36 Q And prior to that, where were you employed?

11 09:04:38 A Prior to that I was a YouTube employee, and

12 09:04:41 prior to that I was a SVP general manager for CNET

13 09:04:46 Networks here in San Francisco managing the games,

14 09:04:52 television, and music properties.

15 09:04:54 Q And what was your title at YouTube?

16 09:04:59 A I was hired at YouTube as the chief marketing

17 09:05:01 officer.

18 09:05:01 Q When were you hired?

19 09:05:02 A In September of 2006.

20 09:05:05 Q Did there come a time when your title changed

21 09:05:12 at YouTube?

22 09:05:13 A My title has changed at YouTube four, five

23 09:05:15 times.

24 09:05:15 Q Okay. The first change from chief marketing

25 09:05:18 officer, what did you change to from that?

REIDER

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2 09:05:24 A I think from the chief marketing officer,
3 09:05:25 after the acquisition, it changed to director of sales
4 09:05:30 and marketing.

5 09:05:31 Q Approximately when did that change take
6 09:05:33 place?

7 09:05:40 A I mean, probably weeks after the acquisition.
8 09:05:43 There's very few C-level titles at Google. I think
9 09:05:49 Eric Schmidt has one, and our CFO has one. So -- and
10 09:05:53 I think the title changing, you -- that comes in the
11 09:05:55 form of what's on your business card. It comes in the
12 09:05:58 form of what's on our intranet within Google, but
13 09:06:02 titles at Google change quite frequently.

14 09:06:05 Q Other than the change to director of sales
15 09:06:07 and marketing, did you have any other titles --
16 09:06:10 changes to your job title?

17 09:06:12 A Yeah. The -- the marketing. We hired
18 09:06:15 somebody to take the -- so I was hired at YouTube to
19 09:06:18 be the place where sales and marketing came together,
20 09:06:21 which is possible within a smaller company.

21 09:06:24 But when we were acquired by Google, about
22 09:06:29 two weeks into the job, it became clear to me that I
23 09:06:33 couldn't physically be on the marketing side of the
24 09:06:35 company and the sales side of the company at the same
25 09:06:37 time.

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2 09:06:38 And so I focused more on the -- the sales
3 09:06:44 side, and we began to look for somebody to take the
4 09:06:46 marketing position. And -- and then when he came
5 09:06:51 onboard, which I think was the fall, probably, of '07,
6 09:06:59 then I was able to fully move over into just the sales
7 09:07:04 area.

8 09:07:04 Q And the "he" that you mentioned, who were you
9 09:07:07 referring to?

10 09:07:10 A A guy named Chris Di Cesare.

11 09:07:14 Q Okay. So when you moved over in the fall of
12 09:07:16 '07 into just the sales area, I take it your title
13 09:07:20 also changed at that time?

14 09:07:21 A Yes. But again, I mean, I cared -- I still
15 09:07:23 had business cards that say "Head of Sales and
16 09:07:28 Marketing," "Director of Sales and Marketing." People
17 09:07:28 still introduce me at conferences sometimes as Head of
18 09:07:30 Sales and Marketing.

19 09:07:31 So we're -- it's not -- Google's not a big
20 09:07:32 title place. It's really -- it -- it really doesn't
21 09:07:35 matter that much I guess is what I'm saying.

22 09:07:37 Q But did you have an understanding that your
23 09:07:39 actual job title had changed at that time?

24 09:07:41 A My job title?

25 09:07:42 Q Uh-huh.

REIDER

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2 09:07:45 A Nobody ever told me that my title was
3 09:07:46 changing. You go onto MOMA, which is our intranet,
4 09:07:52 and I made an adjustment, out of respect for the
5 09:07:55 gentleman that we had hired as our head of marketing,
6 09:07:57 to make sure that it was clear that he was going to be
7 09:07:59 taking on the marketing side and that I would maintain
8 09:08:02 the sales side.

9 09:08:03 Q And did that unjust- -- adjustment that you
10 09:08:03 made include changing your job title?

11 09:08:05 A I actually don't recall --

12 09:08:06 Q Okay.

13 09:08:07 A -- and I can't recall, thinking about our
14 09:08:08 intranet right now, what my title is on it. I think
15 09:08:10 it might still say "Director of Sales and Marketing."
16 09:08:14 But I report up into Tim Armstrong, who is the
17 09:08:18 president of North American Sales and Commerce, and
18 09:08:21 Tim is on the sales side.

19 09:08:24 But at Google we also have an -- a very -- we
20 09:08:28 have a business marketing practice that is within the
21 09:08:32 sales. So there's consumer marketing and there's
22 09:08:36 sales marketing, and I still have a tremendous amount
23 09:08:38 of influence on the business marketing side for
24 09:08:42 YouTube.

25 09:08:46 Q What is the difference between the consumer

1 REIDER

2 09:43:30 website. So it's -- it's a little silly because it
3 09:43:39 really just means an ad. A display ad is an ad.

4 09:43:47 Q And does YouTube currently sell display
5 09:43:50 advertisements?

6 09:43:51 A Yes.

7 09:43:51 Q And where on the YouTube website do the
8 09:43:54 display advertisements appear?

9 09:43:57 A So, today, you see display ads on the search
10 09:44:05 results page, on the Watch Page, and on a number of
11 09:44:12 other, what we call, browse pages.

12 09:44:18 Q Anywhere else?

13 09:44:25 A I mean, there -- I guess you could call the
14 09:44:29 Homepage ad a display. It's really a click-to-play
15 09:44:34 video ad, but you could call it a display ad when it's
16 09:44:38 just sitting there and nobody clicks on it. I mean,
17 09:44:40 again, it's a use -- it's a loose term that we use
18 09:44:44 just to talk about advertising display ads.

19 09:44:46 Q Could a display ad include a video and text?
20 09:44:50 Would -- would both of those fall under the rubric of
21 09:44:52 display ad?

22 09:44:54 A Usually a video ad would be called a video
23 09:45:00 ad, and a display ad would be called a display ad,
24 09:45:06 but -- go ahead.

25 09:45:08 Q Have you heard of a term called "Banner

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10:09:49 today, on the Watch Pages?

10:09:54 A No.

10:09:56 Q None at all?

10:09:58 A YouTube doesn't serve ads onto Watch Pages

10:10:03 unless we have a specific relationship with the

10:10:05 content partner for that page.

10:10:09 Q Just so there's no ambiguity at all, does

10:10:13 that mean that there are not -- there are no

10:10:16 advertisements on Watch Pages unless YouTube has a

10:10:19 specific relationship with the content partner for

10:10:21 that page?

10:10:25 MR. WILLEN: Objection.

10:10:25 You've asked the question; she's answered it,

10:10:27 but go ahead.

10:10:28 THE WITNESS: There is ambiguity, because it

10:10:30 is perfectly possible that somebody who's uploaded a

10:10:36 video to YouTube has embedded whatever they want to

10:10:42 embed within their video.

10:10:44 MR. BROWNE: Q. But YouTube wouldn't receive

10:10:46 any money from that type of advertiser; right?

10:10:50 A No.

10:10:50 Q Now, was there a time, at any point in time,

10:11:01 that -- that YouTube did serve advertisements on the

10:11:04 Watch Page?

1 REIDER

10:11:04 2 A Yes.

10:11:04 3 Q And when did they do that?

10:11:07 4 A It was happening when I joined the company.

10:11:12 5 Q And that was approximately September of 2006?

10:11:17 6 A Yes.

10:11:17 7 Q What types of -- what format did the
10:11:23 8 advertisements take on the Watch Pages as of that
10:11:27 9 time, September 2006?

10:11:32 10 A From what I recall, again, this is over two
10:11:36 11 years ago now, it was what is called a display ad or a
10:11:39 12 banner ad or a 728 x 90.

10:11:45 13 Q And that ad was, at that time in
10:11:53 14 September 2006, was displayed on the Watch Page
10:11:55 15 regardless of whether YouTube had a direct
10:11:58 16 relationship with the content provider; is that
10:11:59 17 correct?

10:12:00 18 A That's correct. I believe so.

10:12:04 19 Q And did YouTube --

10:12:04 20 THE VIDEOGRAPHER: I'm getting BlackBerry
10:12:04 21 interference right now.

10:12:17 22 THE WITNESS: It's not me.

10:12:17 23 (Discussion off the record.)

10:14:47 24 MR. BROWNE: Q. And during the time that
10:14:48 25 YouTube displayed ads on the Watch Page page,

1 REIDER

10:14:53 2 regardless of whether YouTube had a direct
10:14:59 3 relationship with the content provider, did YouTube
10:15:01 4 receive revenue from those ads?

10:15:04 5 A Yes.

10:15:04 6 Q And that revenue went directly to YouTube?

10:15:14 7 MR. WILLEN: Objection as to what you mean by
10:15:16 8 "directly."

10:15:20 9 THE WITNESS: I have to think about that
10:15:29 10 because in a -- so can you ask your question again.

10:15:32 11 MR. BROWNE: Q. And the revenue that was
10:15:34 12 received from those advertisements that played on the
10:15:36 13 Watch Page, did that revenue go directly to YouTube?

10:15:41 14 MR. WILLEN: Same objection.

10:15:43 15 THE WITNESS: So it depends on the type of
10:15:48 16 the ad if the revenue would have gone directly to
10:15:51 17 YouTube.

10:15:51 18 MR. BROWNE: Q. In certain situations, at
10:15:54 19 least, would the revenue have gone directly to
10:15:57 20 YouTube?

10:15:57 21 A In certain situations, with a certain type of
10:16:00 22 ad campaign, it would have gone directly to YouTube.

10:16:02 23 Q In what type of situations and what types of
10:16:07 24 ad campaigns would that revenue have gone directly to
10:16:10 25 YouTube?

REIDER

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2 10:16:13 A If it was what's called direct sold.

3 10:16:17 Q What does that mean?

4 10:16:21 A It means there was no other entity involved,

5 10:16:24 that a YouTube salesperson would have sold it.

6 10:16:27 Q Are there any other types of situations where

7 10:16:31 the revenue from that advertisement playing on the

8 10:16:37 Watch Page would have gone directly to YouTube?

9 10:16:40 A I think that's the question I just answered.

10 10:16:42 Q Oh, you did, and you said, "Direct sold." I

11 10:16:43 just want to make sure, are there other types other

12 10:16:47 than direct sold?

13 10:16:49 A Are -- I just want to make sure I understand

14 10:16:51 the question.

15 10:16:51 You're asking if there are other types, other

16 10:16:54 than direct sold, that would occur on that?

17 10:16:59 Q Let me just take a step back --

18 10:17:00 A Yeah.

19 10:17:00 Q -- and try to explain a little bit so we're

20 10:17:03 clear.

21 10:17:03 You said in certain situations the revenue

22 10:17:05 would go directly to YouTube.

23 10:17:05 A Uh-huh.

24 10:17:08 Q In sum and substance I asked you, what are

25 10:17:10 those situations, and we talked about the direct sold

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10:17:12 situation.

10:17:13 A Uh-huh.

10:17:13 Q Now I just want to know, are there other

10:17:15 situations?

10:17:16 A So when it's not direct sold?

10:17:17 Q Right.

10:17:18 A So, yes, when it's not direct sold, then

10:17:21 somebody else would also share in that revenue,

10:17:23 another company would also share in that revenue.

10:17:25 Q And when you say "share in that reven- --

10:17:28 revenue," do you mean, then, that the other company

10:17:31 would get some of that revenue --

10:17:33 A Uh-huh.

10:17:33 Q -- and YouTube would also get a portion of

10:17:35 that revenue?

10:17:37 A Yes.

10:17:37 Q Did there come a time when -- when YouTube

10:17:41 stopped displaying advertisements on -- on the Watch

10:17:49 Pages for content when YouTube didn't have a direct

10:17:53 relationship with a content provider?

10:17:56 A Yes.

10:17:57 Q When did that happen?

10:18:01 A I don't recall the exact date of when that

10:18:04 happened, but it was early in 2007.

1 REIDER

14:17:16 2 Q And there is -- is there a larger purpose for
14:17:19 3 that education? What do you hope to achieve by
14:17:23 4 educating advertisers on that information?

14:17:25 5 A That they become interested and that they
14:17:27 6 invite their Google sales rep to come and pay a visit
14:17:30 7 to see, then, okay, yeah, I understand. Big picture,
14:17:33 8 this is what it is, and can Sally come see me and --
14:17:38 9 and help me understand how for me, as a manufacturer
14:17:41 10 of shampoo, what kind of audience I can reach and how
14:17:46 11 I would actually leverage this platform and market.

14:17:50 12 Q And then to ultimately purchase advertising?

14:17:53 13 A That's what I mean. An ad sales rep, their
14:17:58 14 job is to sell advertising, so yes.

14:18:11 15 Q Give me one second; okay.

14:18:35 16 I'm going to introduce -- what are we? 8?

14:18:41 17 THE REPORTER: 9.

14:18:41 18 MR. BROWNE: 9. Exhibit 9.

14:18:43 19 (Document marked Reider Exhibit 9
14:18:58 20 for identification.)

14:18:58 21 THE WITNESS: Thank you.

14:18:59 22 MR. BROWNE: Q. Now, Ms. Reider, I've --

14:19:12 23 MR. WILLEN: My copy has no Bates number on
14:19:14 24 it.

14:19:14 25 THE WITNESS: Mine either.

1 REIDER

14:19:15 2 MR. BROWNE: It's actually -- doesn't have a
14:19:18 3 Bates number. I'll just represent to you that it's a
14:19:20 4 page that I printed out from the web- -- the YouTube
14:19:22 5 website a day or so ago.

14:19:30 6 MR. WILLEN: Can you -- can you give us a
14:19:31 7 little bit more information about the circumstances
14:19:33 8 under which you printed the page off the website?

14:19:36 9 MR. BROWNE: Not to be --

14:19:41 10 THE REPORTER: Okay. I can't hear you. A
14:19:44 11 BlackBerry is totally going off.

14:19:46 12 MR. BROWNE: Probably for the best that my
14:19:47 13 answer there got covered up.

14:19:56 14 Just -- you know what, I handed out the wrong
14:20:02 15 one anyway. Yours says "InVideo"; doesn't it?

14:20:05 16 A Mine says "YouTube InVideo Ads."

14:20:05 17 Q Can we swap 9 out for this one?

14:20:08 18 A YouTube video ads you want to go to?

14:20:11 19 MR. WILLEN: Sorry about that. I missed what
14:20:12 20 you just said.

14:20:13 21 MR. BROWNE: Well, you know what, I -- I
14:20:14 22 handed out the wrong one by mistake. I want to hand
14:20:18 23 out this one instead.

14:20:19 24 Could we just replace that Exhibit 9 with
14:20:22 25 this one?

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1 REIDER

14:20:22 2 THE WITNESS: You want me to take this

14:20:23 3 sticker off?

14:20:24 4 MR. BROWNE: I'm not sure how the court

14:20:26 5 reporter wants to do it actually.

14:20:27 6 THE WITNESS: What do you want to do?

14:20:29 7 MR. WILLEN: If I use this one, are you going

14:20:31 8 to use this one?

14:20:32 9 MR. BROWNE: Probably not. Maybe if you

14:20:34 10 could just set it on that chair. I think I probably

14:20:37 11 won't use it. It's actually --

14:20:41 12 THE WITNESS: Would you like me to put my

14:20:43 13 Exhibit 9 sticker on the new one?

14:20:44 14 MR. BROWNE: Wow, we're going to have to pay

14:20:46 15 you for the transcript.

14:20:47 16 THE WITNESS: All right. This?

14:20:49 17 MR. BROWNE: All right. Thank you.

14:20:50 18 THE WITNESS: All right.

14:20:52 19 MR. BROWNE: So -- okay.

14:20:53 20 MR. WILLEN: So again, I'm going to say that

14:20:55 21 this new Exhibit 9 also doesn't have a Bates stamp on

14:20:58 22 it, so I just ask Mr. Browne to provide us with some

14:21:01 23 information about the circumstances under which he

14:21:04 24 obtained the document.

14:21:05 25 MR. BROWNE: Yeah. I'm -- I'm happy to do

1 REIDER

14:21:07 2 that.

14:21:07 3 I went to the YouTube website and went onto
14:21:12 4 the online media kit, and I clicked on a link there
14:21:15 5 and this came up, and I printed it out.

14:21:19 6 MR. WILLEN: Okay. Well, we'll -- we'll
14:21:20 7 lodge a conditional foundational objection to your
14:21:25 8 document, go back and verify it, but you're free to
14:21:29 9 ask questions about it.

14:21:30 10 MR. BROWNE: Okay.

14:21:31 11 Q And before that little interlude, Ms. Reider,
14:21:35 12 we were talking about the online media kit that
14:21:38 13 YouTube -- that YouTube has and its purposes. And
14:21:41 14 Exhibit 9 is just a page I've printed out from the
14:21:46 15 YouTube website, and if you look at the bottom there
14:21:48 16 it says "YouTube Stats (US)"; do you see that?

14:21:51 17 A Uh-huh, yes, I see that.

14:21:52 18 Q And you say they're the "#1 entertainment
14:21:55 19 site on the Internet"?

14:21:56 20 A According to "Nielsen//NetRatings December
14:21:58 21 '07."

14:21:59 22 Q Yes, that's right.

14:22:00 23 Now, why is that something to include on the
14:22:05 24 YouTube online media kit?

14:22:07 25 A So the -- the context of this, see in the

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1 REIDER

14:22:09 2 upper-left where it says "YouTube Videocracy"? So
14:22:13 3 there was an event that we held in February of 2008 in
14:22:17 4 New York called Videocracy, and it was an event where
14:22:24 5 we invited dozens of content partners to come and
14:22:28 6 participate. And it was -- it was really our
14:22:31 7 coming-out party to the advertising community where we
14:22:37 8 highlighted our content partners. And I know this is
14:22:43 9 not an exhibit, but in this YouTube InVideo Ads you
14:22:47 10 can see all the content partners that we're
14:22:49 11 highlighting here.

14:22:49 12 So it was an event for our content partners
14:22:53 13 and to introduce our advertisers to our content
14:22:57 14 partners. And so the reason that we would say "#1
14:23:00 15 entertainment site on the Internet," or "#6 largest
14:23:03 16 audience on the Internet," because the original form
14:23:03 17 of that was a little piece of collateral that was
14:23:05 18 actually handed out at this event, was so that our
14:23:08 19 content partners would feel really good about
14:23:10 20 partnering with us.

14:23:12 21 Because it's like they're opening up a store
14:23:15 22 in the largest mall there is, and that's where -- this
14:23:18 23 is really to make our content partners feel really
14:23:21 24 spectacular about, you know, being at this event and
14:23:25 25 also, generally, so that advertisers understand this

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1 REIDER

14:23:29 2 is a platform that matters, and it would be meaningful
14:23:34 3 to figure out how to play here and engage with our
14:23:38 4 content partners.

14:23:41 5 Q And you see there it says "68 million unique
14:23:44 6 monthly visitors"?

14:23:45 7 A Yeah.

14:23:45 8 Q Again, that's according to Nielsen.

14:23:48 9 Did you include that information for the same
14:23:53 10 types of reasons that you just gave me, or for
14:23:56 11 different reasons?

14:23:57 12 A Well, it's the same. It's from -- I mean, we
14:23:59 13 consider our partners to be advertisers and also to be
14:24:01 14 content partners, and so both of them need to feel
14:24:05 15 that this is a viable platform on -- on which they
14:24:10 16 want to participate. Advertisers need to come and run
14:24:12 17 ads, and partners need to come here and have the
14:24:17 18 content.

14:24:17 19 Q Now, up there on the -- on the top of this
14:24:20 20 Exhibit 9 it says "YouTube Video Ads," and then "Drive
14:24:24 21 engagement and awareness with high-profile placements
14:24:28 22 on YouTube's Search Results pages and Homepage"; do
14:24:30 23 you see that?

14:24:31 24 A Yes.

14:24:31 25 Q What -- what does that reference there to

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805 Third Avenue, New York, New York 10022 (212) 705-8585

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15:00:38 ambiguous.

15:00:39 THE WITNESS: Which I'll answer with, every

15:00:44 campaign is set up in a different way.

15:00:47 MR. BROWNE: Q. Well, have there been

15:00:50 instances that you have told advertisers that there

15:00:54 can be an indirect link between their advertisements

15:00:57 and the particular searches that YouTube users do on

15:01:01 the YouTube search page?

15:01:02 A If you go back to that piece of collateral

15:01:05 that you had printed out from Videocracy and think

15:01:09 about that for a minute, at the -- that where we

15:01:12 highlight that we have content partners in news or in

15:01:15 sports or in wherever, that we tell advertisers that

15:01:20 if you want to buy against music content, you can buy

15:01:23 against music content.

15:01:29 Q And that would be, if we're thinking back to

15:01:32 Exhibit 9 when we -- which was the online media kit

15:01:37 and it referenced search and category pages, that,

15:01:39 what you just gave me an example of, will be a

15:01:43 category search category?

15:01:43 A InVideo. Actually, I was thinking about the

15:01:46 InVideo that we were looking at first.

15:01:48 Q When a -- when an advertiser has the ability

15:01:50 to or when YouTube has the ability to link

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2 15:01:52 advertisements to, as you put it, sports and

3 15:01:56 music --

4 15:01:56 A Uh-huh.

5 15:01:56 Q -- isn't that -- correct me if I'm wrong, but

6 15:01:59 isn't that what you call a -- a -- a category?

7 15:02:02 A So I don't know how this was set up in the

8 15:02:06 system. I don't know exactly what the -- what this

9 15:02:09 is, other than what we're looking at. But if somebody

10 15:02:13 searches for "auto," then it's possible -- or for

11 15:02:22 "fast cars," then it's possible that an automotive

12 15:02:27 manufacturer would be able to serve an automotive ad.

13 15:02:33 Q Do -- do you mind just flipping back

14 15:02:34 to -- through that stack to Reider Exhibit 9, which

15 15:02:38 was the one-page --

16 15:02:39 A Yeah.

17 15:02:39 Q -- document called "YouTube Video Ads." And

18 15:02:42 the second bullet point up from the word "features,"

19 15:02:46 it says there "Search and category pages present

20 15:02:50 content related to user interest at the moment of

21 15:02:52 relevance" and then it goes on.

22 15:02:52 A Uh-huh.

23 15:02:55 Q Do you see that?

24 15:02:55 A "Features"; where am I?

25 15:02:59 Q I'm sorry.

1 REIDER

17:08:48 2 The time is 5:08 p.m.

17:08:50 3 (Recess taken.)

17:12:06 4 THE VIDEOGRAPHER: On the record.

17:12:07 5 The time is 5:11 p.m.

17:12:09 6 Please continue.

17:12:09 7 MS. CUNHA: Okay.

17:12:13 8 Q So my -- my question to you is, why did you
17:12:17 9 put "Client attorney privilege" on this e-mail?

17:12:20 10 A Okay. And it was a long time ago. I think I
17:12:24 11 may have thought that I had CCed one of our attorneys,
17:12:29 12 Zahavah, but actually I don't -- I don't have any idea
17:12:34 13 why I put that on there.

17:12:35 14 Q Okay.

17:12:36 15 If you could just quickly turn back to
17:12:37 16 Exhibit 17. I just have a couple of more questions.

17:12:40 17 A Is that the rate card?

17:12:41 18 Q That's the rate card; correct.

17:12:43 19 A Okay.

17:12:46 20 Q Do you see under -- it says "run of site,"
17:12:50 21 and then there's an indication for "ROS." It's on the
17:12:54 22 first page of the rate card.

17:12:55 23 A First page. Okay. I'm there.

17:12:57 24 Q What is "run of site"? What does that mean?

17:13:00 25 A Run of site means that the advertiser has --

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17:13:02 2 there's no guarantee. There's no commitment about
17:13:05 3 where the ad is gonna show up. It can go run of site
17:13:09 4 anywhere on the sight. It's total up to us, our
17:13:14 5 discretion. They don't get to say at all.

17:13:16 6 Q And what do you understand the part that
17:13:20 7 refers to vertical level one, vertical level two,
17:13:22 8 vertical level three? Do you see that?

17:13:23 9 A Yeah.

17:13:23 10 Q What does that mean?

17:13:24 11 A I had to remind myself of that too, because
17:13:28 12 that doesn't -- that's part -- we don't do that
17:13:30 13 anymore, but I believe what that was was levels of
17:13:33 14 targeting.

17:13:34 15 So if you just want the broad category of
17:13:37 16 entertainment, that would be vertical level one. If
17:13:40 17 you want to go a little deeper and you want, like,
17:13:44 18 music, that would be number two. If you want to go a
17:13:47 19 little deeper -- but we don't do that anymore, and I
17:13:49 20 also had to remind myself of what that was.

17:13:57 21 Q And final question, does YouTube sell ads on
17:14:00 22 registration pages?

17:14:01 23 A I don't -- I would have to look if we sell --
17:14:07 24 I don't think we sell ads on registration pages,
17:14:10 25 because it would deter the user from registering, in

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